

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of NICOLE HOIDA and MICHELLE
SIMON HOIDA, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

MICHAEL HOIDA,

Respondent-Appellant,

and

KIMBERLY HOIDA,

Respondent.

UNPUBLISHED
November 9, 2001

No. 233525
Hillsdale Circuit Court
Family Division
LC No. 00-000712-NA

Before: Doctoroff, P.J., and Wilder and Schmucker*, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the family court order terminating his parental rights to the minor children under MCL 712A.19b(3)(a)(ii), (b)(i), (b)(ii), (g), (j) and (k). We affirm.

We are not persuaded by respondent-appellant's claim that the circuit court lacked jurisdiction because of a procedural error. This Court reviews a challenge to jurisdiction to determine whether the alleged error was of such magnitude that, but for it, there was an insufficient basis for the circuit court to assume jurisdiction. *In re Toler*, 193 Mich App 474, 476; 484 NW2d 672 (1992). Here, jurisdiction was clearly established by the undisputed allegations in the petition and any subsequent procedural errors did not affect it. *In re Hatcher*, 443 Mich 426, 437; 505 NW2d 834 (1993).

Respondent-appellant concedes that there were grounds for terminating his parental rights to one of the children. Further, we conclude that the trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence as to the

other child. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The trial court did not err in terminating respondent-appellant's parental rights to the children.

Affirmed.

/s/ Martin M. Doctoroff

/s/ Kurtis T. Wilder

/s/ Chad C. Schmucker